761551N25A - SH-AD-32A (2/72)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

A Tradition of Service

DATE: January 15, 2008

OFFICE CORRESPONDENCE

FILE NO. SH2207388

FROM: JOHNNY G. JURADO, COMMANDER
LEADERSHIP AND TRAINING DIVISION

TO: KARYN MANNIS, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE DISPOSITION:**
DEPUTY DARELL A. EDWARDS, #[redacted]
CENTURY STATION

On October 29, 2007, at approximately 2032 hours, Deputies Edwards and Rincon approached three men regarding a drinking in public investigation. One of the men, Suspect Scott, immediately ran away as the deputies approached in their patrol car. The other two men remained where they were.

The deputies followed Suspect Scott and illuminated him with both radio car exterior spotlights. They briefly lost visual contact of Suspect Scott as they passed by a large commercial truck parked along the curb. As Suspect Scott emerged from behind the truck, the deputies saw him remove a handgun from his waistband, then he ran away.

The deputies stopped their vehicle and broadcast they were in foot pursuit of an armed suspect. Suspect Scott immediately ran to a side gate of a residence and attempted to open the gate. As he did so, he turned and pointed his gun in the direction of the deputies. Deputy Edwards fired one round from his weapon and Suspect Scott ran into the rear of the location.

The deputies paused at the gate while ordering the suspect to stop running. When they saw Suspect Scott had dropped his handgun they entered the yard and took him into custody without further incident.

On January 15, 2008, the Executive Force Review Committee convened and conducted a review regarding the facts of this case. The applicable policies that were evaluated by the committee were: MMP §§ 3-01/025.00, Use of Force; 3-01/025.30, Use of Firearms and Deadly Force; 3-01/025.10, Unreasonable Force; and 3-01/050.10, Performance to Standards.

Concerning:

MMP § 3-01/025.00, Use of Force, MMP § 3-01/025.30, Use of Firearms and Deadly

Force, and MMP § 3-01/025.10, Unreasonable Force, the Committee determined that the force used by Deputy Darell A. Edwards, #[redacted] was reasonable and necessary and in compliance with Department policy.

MMP § 3-01/050.10, Performance to Standards, the Committee determined that the tactics employed by Deputy Darell A. Edwards in this incident were within Department Policy.

Johnny G. Jurado, Commander

JGJ:MOT:mt

TABLE OF CONTENTS

SH2207388

Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date: 10/29/2007	Bureau/Station/Facility: FOR II - CENTURY STATION	Admin. Invest.? ☐	Hit? ☐

Incident Information

URN: 407-21236-2141-055	Date: 10/29/2007 Time: 2030 HOURS
City or Station: LOS ANGELES	Nature of Incident: DEPUTIES EDWARDS AND RINCON WERE PATROLLING IN THE RAE OF MAIN ST. AND 139TH ST. WHEN THEY OBSERVED THREE MALE BLACK ADULTS ON THE EAST SIDEWALK OF MAIN ST. DRINKING ALCOHOL. UPON SEEING THE PATROL CAR, SUSPECT SCOTT FLED ON FOOT SOUTH ON MAIN ST. AS SUSPECT SCOTT WAS RUNNING, THE DEPUITES SAW HIM REMOVE A GUN FROM HIS WAISTBAND. SEEING THIS, THE DEPUTIES BROADCAST THE INFORMATION AND FOOT PURSUIT ENSUED. THE SUSPECT RAN TO A GATE AND AS HE TRIED TO OPEN IT, HE TURNED AND POINTED HIS GUN AT THE DEPUITES. EDWARDS FEARING FOR THEIR SAFETY, FIRED ONE ROUND FROM HIS DUTY WEAPON MISSING THE SUSPECT. tHE SUSPECT WAS APPREHENDED AND A GUN RECOVERED.
Location [redacted] SOUTH MAIN STREET	

Circled items are shown in bold.

Location Type (*circle one or more*): Backyard, Beach, Business, Freeway, Industrial, Park, Parking Lot, **Residence**, Rural, School, Street, Other: ______

Lighting (*circle only one*): **Darkness**, Daylight, Other, Street Lights

Weather (*circle only one*): **Clear**, Cloudy, Fog, Rain

Distance:

Incident Type (*circle one or more*): Accidental, **Armed Person**, **Fleeing Suspect**, **Foot Pursuit**, Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, Struggle Involved, Traffic Stop, Unarmed Person, Unintentional, Vehicle Pursuit, Warrant Service, Warning Shot, Other: ______

Initiated by (*circle only one*): Arrest Warrant, Call, **Observation**, One Person Unit, Other, Search Warrant, Two Person Unit

Prior Activity (*circle only one*): Detective, Inmate Transport, Other, **Routine Patrol**

Aero Unit? ☐ Canine Unit? ☐

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect
1	10 FEET

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
[redacted]	RINCON	JOAQUIN		EM **PM** Day	**Regular** Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.			
[redacted]	[redacted]	[redacted]			
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**	
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	
Last Name	**First Name**	**M.I.**			
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**	
Last Name	**First Name**	**M.I.**			
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**	

Supervisors

Employee #	Last Name	First Name	M.I	(*circle one or more*)	
[redacted]	HAUGHEY	JOHN	P.	**On Duty**, Present during shooting	Witness to shooting, Involved in shooting
				On Duty, Present during shooting	Witness to shooting, Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	DURAN	JAMES	R.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	ABRAM	BERNICE	K.

PSTD Use Only
SH # SH2207388

SH-R-438A rev. 3/07

See Reverse

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
10/29/2007	2100	12/11/2007	

Employee #	Last Name	First Name	M.I
[redacted]	BAIRD	MARSHALL	W.
[redacted]	TAYLOR	ROSSANNA	M.
[redacted]	PORLIER	CLAY	S.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED (one code per block)

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S1	E1	FH	SW	9			NN	
E1	S1	FH	HK	45	Y	Y	NN	

Officer Involved Shooting
Involved Employee Information

URN: 407-21236-2141-055

Involved Employee

E 1

Employee # [redacted]	Last Name EDWARDS	First Name DARELL	M.I. A.
Sex: M Race: BLACK	Rank DEPUTY SHERIFF	Unit Assignment: CENTURY STATION	Work Assignment (Unit #, Module, etc.): 212E
ShiftTime (*circle only one*): EM (PM) Day	ShiftType (*circle only one*): (Regular) (Overtime) Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # — Interviewed? ☒
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, (Uniform w/ Vest)	Other Factors:
Age: [redacted] Height: 603	Weight: 213		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted] Prior Shootings? ☒	Number of Prior Shootings: 1 — Directed Force: [redacted]
Weapons Fired Brand: HK USP — Caliber 45 — # Shots 1	Weapons Fired Brand: — Caliber — # Shots		
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp #	Last Name	First Name	M.I.

E ___

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # — Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit: Prior Shootings? ☐	Number of Prior Shootings: — Directed Force: ☐
Weapons Fired Brand: — Caliber — # Shots	Weapons Fired Brand: — Caliber — # Shots		
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E ___

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # — Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit: Prior Shootings? ☐	Number of Prior Shootings: — Directed Force: ☐
Weapons Fired Brand: — Caliber — # Shots	Weapons Fired Brand: — Caliber — # Shots		
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

Officer Involved Shooting
Suspect Information

URN: 407-21236-2141-055

Suspect Information

S 1

Last Name SCOTT		First Name TERRY	M.I. L..
AKA Last Name		First Name	M.I.
Sex: M Race: BLACK	Street Address: [redacted]	City [redacted]	State & Zip Code: [redacted]
Work Phone: [redacted]	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 43 D.O.B. 06/29/1964	Height: 511 Weight: 164	FBI # [redacted]	CII # [redacted]
Booking # 1037624	Primary Charge: 245(D)1 P.C.	Secondary Charge:	12025(A) P.C.
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☒	Substance Used: BEER AND MARIJUANA
Armed? ☒	Apprehended? ☒	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make		Model:	Year:

S__

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

INVESTIGATIVE SUMMARY
DEPUTY INVOLVED ON-HIT SHOOTING
IAB CASE NUMBER SH2207388
URN 007-21236-2141

On October 29, 2007, a approximately 2040 hours, Sergeants Marshall Baird and Rossanna Taylor along with Lieutenant Clay Porlier responded to [redacted] South Main Street, Los Angeles (Unincorporated - Athens Park) regarding a deputy involved non-hit shooting involving personnel from Century Station. [redacted] and [redacted] from Century Station also arrived to conduct the criminal investigation. Rob Miller from the Office of Independent Review also responded.

On October 29, 2007, at approximately 2030 hours, Deputies Darell Edwards and Joaquin Rincon were driving westbound on 139th Street at Main Street in their marked Sheriff's patrol vehicle, when they saw three African-American males standing on the east sidewalk of Main Street, south of 139th Street. Additionally, the two deputies observed that one of the males [redacted] appeared to be drinking from a beer can which was partially covered by a crumpled paper bag. Seeing this, the deputies drove southbound on Main Street to contact the individuals regarding drinking in public. One of the males (Suspect Scott) looked in the direction of the deputies, turned and immediately ran south on Main Street along the east sidewalk. The other two males remained where they were.

The deputies then followed Suspect Scott and illuminated him with both exterior spotlights. They briefly lost their visual observation of Suspect Scott as they passed by a large commercial truck parked along the east curb of Main Street. The deputies slowed their patrol car down to prevent the suspect from doubling back and taking a position to their rear. As Suspect Scott emerged from the south end of the ruck, the deputies saw him remove a handgun from his waistband with his right hand. The suspect continued running south.

The deputies stopped their vehicle and broadcast they were in foot pursuit of an armed (417PC) suspect at 139th Street and Main Street. The suspect immediately ran eastbound to a side gate of a residence located at [redacted] South Main Street. Deputy Edwards yelled for the suspect to stop and drop the weapon. Instead, the suspect attempted to open a heavy metal gate. As he did so, he turned and pointed his gun in the direction of the deputies. Deputy Edwards, fearing for his safety, fired one round from his duty weapon, a Hecklor & Koch .45 caliber semi-automatic pistol.

While firing his weapon, Deputy Edwards lost his footing and the round missed the suspect, striking the top of the metal gate. The suspect then ran into the rear of the location. The deputies initially paused at the gate while ordering the suspect to stop running, only entering the rear yard when they saw the suspect drop his handgun. The

suspect attempted to scale a rear fence but was unsuccessful. He subsequently surrendered to deputies without further incident.

The summary of this incident is based on physical evidence collected at the scene by Los Angeles County Sheriff's Department Crime Lab personnel as well as information obtained from the original crime report and supplemental reports (***Refer to Exhibit A through D***) along with interviews of the involved employees and witnesses.

INVOLVED PERSONNEL

EDWARDS, Darell A., Deputy Sheriff, #[redacted]
Field Operations Region II
Century Station

Work History

Edwards, Darell

Date of Employment	09-22-1999
Date Assigned to Patrol	[redacted]
Date Completed Patrol Training	
Prior Shooting Incidents	One incident, 05-06-2006
Prior Founded Force Incidents	[redacted]

IAB NOTE: Refer to SH2169604 for the prior shooting incident. Refer to [redacted] ***force incident. In the*** [redacted] ***force incident, Edwards*** [redacted]

SUSPECT

SCOTT, Terry Lance, MB/43, DOB: 06/29/1964, Booking #1037624
[redacted]

Suspect Terry Scott's Consolidated Criminal History Report (CCHRS) shows he has [redacted]. For further information, refer to Exhibit E.

SWORN WITNESS

RINCON, Joaquin C., Deputy Sheriff #[redacted]
Field Operations Region II
Century Station

CIVILIAN WITNESSES

[redacted] MB/43, [redacted]

INJURIES

None of the deputies or the suspect sustained any injuries.

PHYSICAL EVIDENCE

The following evidence items were collected and submitted by Deputy Dale S. Falcon, #173120, Scientific Services Bureau, and submitted under laboratory receipt number J909962:

Item 2: One fired .45 caliber cartridge case, "Winchester" head stamp, recovered on the walkway.

Item 3: One fired bullet jacket fragment on the astro turf just west of the metal door/gate which allows access to the rear yard of the location.

Item 4: One lead fragment on the planter slightly southwest of the metal door/gate.

Item 7: One lead fragment on the ground below the metal door/gate.

Item 8: One lead and one bullet jacket fragment beside the south wall of the residence, west of the metal door/gate.

Receipt #J909963:

Item 5: One Smith & Wesson model 5905, 9mm Luger semi-automatic pistol, serial number TFR[redacted] with one attached magazine containing eleven cartridges (Ten 9mm caliber and one 40 S&W caliber). Recovered on the walkway in the rear yard, east of the metal gate.

Item F-1: One Heckler & Koch model USP, .45 caliber semi-automatic pistol, serial number [redacted] with one magazine which contained eleven .45 caliber cartridges, and one .45 auto caliber cartridge within the chamber, all "Winchester" head stamp.

IAB NOTE: Internal Affairs investigators were present during the initial

examination of Deputy Edward's gun.

For further information, refer to Exhibit F.

INVESTIGATORS OBSERVATIONS

The area in which the incident occurred consists of primarily single family residences on the east side of Main Street. The west side of Main Street is all commercial buildings. Main Street in this area is a north/south roadway comprised of two lanes in each direction. In addition, there were parking lanes on both the east and west side curb lines. There were four vehicles, one of which was a large commercial van/truck, parked along the east curb line between 139th Street and the location.

The location of the deputy involved shooting [redacted] South Main Street, is a single family residence situated on the [redacted] side of Main Street. The lot consists of a front house and a detached rear house. On the south side of the residence is cobblestone walkway that runs east and west. Approximately twenty to twenty-five feet east of the sidewalk there is a seven foot metal gate which is hinged on the north outer edges.

The focal point of the crime scene was the walkway on the south side of the aforementioned residence. The walkway is bordered by bushes on the north side and a dirt planter on the south side. Investigators noticed the bullet strike to the metal door/gate, along with bullet fragments and a shell casing west of the gate.

As investigators walked east along the walkway to the rear yard, there was a handgun (Evidence Item #5) located approximately twenty-one feet east of the gate.

For further information, refer to Exhibit G, crime scene diagram and evidence list.

WEAPON USED BY DEPUTY PERSONNEL

EDWARDS, Darell
Department authorized (personally owned) "Heckler and Koch," model USP, .45 caliber semi-automatic pistol, black, serial number [redacted] fired one round.

Deputy Edwards weapon was examined, test fired, and found to be functional. The test fires were sub-receipted under laboratory receipt J909961.

WEAPON USED BY SUSPECT

SCOTT, Terry
Suspect Scott was armed with a Smith & Wesson model 5905, 9mm Luger semi-automatic pistol, serial number TFR[redacted] with one attached magazine containing eleven cartridges (ten 9mm and one 40 S&W caliber).

PROPERTY DAMAGE

One bullet impact to the top middle portion of the west side of the metal door/gate.

CRIMINAL INVESTIGATOR/CHARGES FILED

Investigator:	[redacted] Century Detective Bureau
Court:	Compton
Charges:	Brandishing a firearm in the presence of a peace officer, 417(C) P.C., Assault with a Deadly Weapon, Firearm, on a Peace Officer, 245 (d)(2) P.C., Carrying a Concealed Firearm, 12025 P.C., case number TA09363001.
Court Date:	Suspect's Terry's last court date was11/29/2007. There is no new court date scheduled.

Refer to Exhibit H, case filing document.

LIGHTING AND WEATHER CONDITIONS

The incident occurred during darkness. The weather was warm and windy. There are over head street lights in front of the location.

INVOLVED DEPUTY STATEMENTS

Deputy Darell Edwards

Deputy Edwards was interviewed on November 14, 2007, at approximately 1407 hours by Internal Affairs Bureau Sergeants Marshall Baird and Rossanna Taylor. Also present was Deputy Edwards ALADS representative, Mitchell Kander from the law offices of Green and Shinee. The interview was conducted at Internal Affairs Bureau. The interview was recorded in digital format. The following is a summary of that interview:

Deputy Edward said on the day of the incident, he began his shift at [redacted] He was partnered with Deputy Joaquin Rincon. They were designated unit "213E." Deputy Edwards said Deputy Rincon was the driver and he was the passenger deputy. Deputy Edwards was wearing a Class "A" short sleeve uniform with a nylon Sam Brown belt, ballistic vest and black boots.

Deputy Edwards said he and his partner were driving westbound 139th Street approaching in their marked Sheriff's patrol vehicle. When they reached the T-intersection of Main and 139th, he looked southbound along the east sidewalk, and saw three individuals, one of which was the suspect (later identified as Terry Scott), standing on the sidewalk near the corner. He said one of the individuals (Witness [redacted] was holding a beer can which was partially covered by a crumpled paper bag.

Edwards said as he and his partner turned southbound onto Main Street, one of the males (Suspect Terry), began running southbound on the east sidewalk of Main Street, while the other two males remained where they were. He said initially, they wanted to contact the three males regarding "drinking in public and a loitering investigation."

Edwards said Deputy Rincon turned their patrol vehicle onto Main Street and drove southbound in the number two lane of northbound Main Street to follow the suspect and ascertain why he was running. As they followed Suspect Scott, they illuminated him with both of their exterior spotlights and continued to do so throughout his flight. Edwards said at some point, they lost sight of Suspect Scott as he disappeared behind a large commercial vehicle, which was parked along the east curb line of Main Street (refer to Exhibit G, crime scene diagram, Vehicle #6). He said Deputy Rincon slowed their vehicle to a stop, to prevent the suspect from doubling back on them. Edwards said after a "second or two had passed," the suspect re-emerged from the south end of the truck, still running southbound along the east sidewalk.

Deputy Edwards said as they continued to follow the suspect, he saw the him remove a "black semi-automatic handgun from his waistband with his right hand." He said after looking at the diagram provided to him by investigators during the interview, the suspect was positioned just south of the walkway that leads to the front door of [redacted] South Main Street (refer to Exhibit G, crime scene diagram), when he removed the gun. Edwards said he and his partner were approximately thirty feet northwest of the suspect when they made the aforementioned observations.

Edwards described the suspect's running motions as follows: "He was, pretty much had a regular running gait where his arms were swinging loosely from side to side, rotating as he did each and every stride. He (suspect) would periodically look over toward his right to see if we were still following him. And then he would look back forward and continue running away from us as we were giving him orders via the window to stop running, stop running. The spotlight was in his face, so as he looked over, we could see him squinting his eyes."

Edwards said the suspect continued running for another five to ten feet, with the gun in his right hand, until he turned east and ran along a walkway. Simultaneous with this, Edwards said he exited the radio car and immediately ran after the suspect with his partner "slightly" behind him. As he pursued the suspect on foot, Edwards said he broadcast, via Sheriff's radio, they were in foot pursuit of an armed suspect (417 suspect).

Edwards said as the suspect continued up the walkway, he "disappeared for a short period of time," behind some bushes bordering the north side of the walkway. He reiterated that he and his partner continuously gave the suspect orders to stop and after seeing the gun, ordered him to drop his weapon.

Edwards said as he first entered the walkway, he couldn't see the suspect and believed

he had entered the rear yard, not knowing there was a gate restricting his access. As Edwards rounded the corner from the sidewalk to the cobblestone walkway, he saw the suspect, who had stopped, with his left hand on the gate, and he "still had the semi-automatic handgun in his right hand." He said the gun was at hip level, with his forearm parallel to the ground. Edwards said once again, he yelled to the suspect to "drop the gun, get on the ground, get on the ground." Edwards said "as we gave him that first command, he began to turn toward his right. With the gun in his right hand, his right arm still parallel to the ground, he kind of shifted and pitched his center of gravity, he bent his knees slightly and he began turning toward us." Edwards described the suspect's motion as "somewhat of a half turn."

Edwards said since the suspect at this point, had not cooperated with his commands to stop running and drop his weapon, the fact that he had disassociated himself from the other two males, along with the movement, turning toward them with the gun in his hand, he believed the suspect was going to shoot them. Fearing for his safety and his partner's safety, Edwards felt it was important to minimize his target area, he bent down, bladed his stance (weaver shooting stance) off to the right. Simultaneous with this, Edwards said he stepped to the right, and fired one round from his duty weapon at the suspect. He said as he stepped to the right, he lost his footing as he moved from the walkway into the dirt planter. Edwards said as he fired, he believed the suspect had "already successfully opened the gate. "

Edwards said after the round was fired, the suspect turned back toward the gate and began running eastbound along the walkway, with the gun still in his (suspect's) right hand. Edwards said his flashlight was in his left hand and his gun in his right hand, and seeing the suspect was still armed, he didn't immediately broadcast he had been involved in a shooting, in the event the suspect were to engage him a second time.

Edwards said the suspect continued running eastbound, and as he was approximately ten to fifteen from the gate, he (suspect) discarded his weapon into a planter next to the walkway (refer to Exhibit G, crime scene diagram). After seeing the suspect discard the firearm, and even though he still posed a threat, Edwards said he and his partner made a tactical decision to follow the suspect into the backyard. He said he was concerned the suspect would barricade himself or would possibly gain access to either the front house or rear house and take a hostage.

Edwards said he and his partner followed the suspect to the rear yard, and as they did so, they continually gave him (suspect) verbal commands to stop running and lie on the ground. As Edwards rounded the corner of the back house, he saw the had scaled the fence, in an attempt to escape. Edwards ordered the suspect to get down and he complied. He said while his partner "covered" him, he handcuffed the suspect without further incident.

Edwards said after the suspect was handcuffed, he broadcast he had been involved in a shooting "998" (refer to Audio CD, Exhibit I). He said he believed he also broadcast

the suspect had not been hit. Edwards said he escorted the suspect back to the front of the location and handed him off to Deputy Henggeler, while his partner maintained a visual of the suspect's discarded firearm.

For further information, refer to Deputy Edwards verbatim transcript.

SWORN WITNESS STATEMENTS

Deputy Joaquin Rincon

Deputy Rincon was interviewed on October 30, 2007, at approximately 0231 hours by Internal Affairs Bureau Sergeants Marshall Baird and Rossanna Taylor. The interview was conducted at Century Station and was recorded in digital format. The following is a summary of that interview:

Deputy Rincon said on the day of the incident, he began his shift at [redacted] hours. He was partnered with Deputy Darell Edwards. They were designated unit "213E." Deputy Rincon was the driver and Edwards was the passenger deputy. Deputy Rincon was wearing a Class "A" short sleeve uniform with a nylon Sam Brown belt, ballistic vest and black boots.

Deputy Rincon said he and his partner were on patrol in the Athens County area of Century Station. They were driving west on 139th St. approaching Main Street. When they reached the intersection, he looked south and saw three male black adults standing on the east sidewalk adjacent to a brick wall. Rincon estimated the three males were about 20 yards north of the address, [redacted] Main Street (location). He said they appeared to be engaged in conversation. As he continued to observe the males, Rincon noticed one of the male's, Suspect [redacted] was holding a can wrapped in a brown bag which he believed contained an alcoholic beverage. Rincon said Suspect Scott was standing with his back up against the wall, facing west.

Rincon said he and his partner made the decision to contact with the three males regarding the drinking in public violations. He said they illuminated all three of the males with their patrol vehicle's spotlights, and as they did, Scott looked in their direction with a startled expression on his face. Rincon said Scott immediately began running south on the east sidewalk.

Rincon said they followed him in the patrol vehicle probably for about 20 yards until they lost sight of him as he disappeared behind a large white cargo van. When the suspect re-emerged from the south end of the truck he saw him reach toward his waist area and pull out a pistol.

Roncon said he and his partner gave Suspect Scott numerous order to stop running and drop his weapon, but he failed to comply. Rincon then stopped their patrol car and they exited. Simultaneous to this, he said Edwards requested the "patch and put out a

broadcast (via Sheriff's radio) that they were in foot pursuit of a 417 suspect, a man with a gun."

Rincon said as they chased after the suspect, both he and his partner continued to yell commands for the suspect to stop and drop his weapon. Rincon said the suspect ran further south until he reached a cobblestone walkway which was at the very south side of location and ran eastbound. He said his partner was in front of him.

Rincon said the suspect ran to the end of the walkway to a dark colored gate and began to manipulate the handle of that gate with his left hand. He said the suspect still had the handgun in his right hand. He said Edwards was "pretty much aligned with the suspect," and he (Rincon) was southwest about a yard behind Edwards and approximately "ten or so yards away from the suspect." Rincon said that within "seconds" the suspect turned around in what he described as a "quarter turn, his pistol was above his waist level and his elbow was parallel to the ground." He turned and pointed the weapon in our direction."

Rincon said Edwards took a tactical movement firing position, leaning low to his right and fired one round from his duty weapon. He said he was unable to fire due Edwards positioning. He said the suspect opened the gate and ran east through the side yard south of the residence.

Rincon said both he and his partner illuminated the suspect with their flashlights. He said "about ten yards into his (suspect) run, he dropped the pistol down to the right. Rincon said at this point, they decided to follow the suspect, concerned the suspect might enter the residence and "take a family hostage." He said the suspect continued running northeast until he reached another gate and attempted to scale over it.

Rincon said they ordered the suspect to stop and show us his hands, at which point, the suspect jumped down from the gate and "proned out." He said Edwards then handcuffed the suspect without further incident. As Edwards was taking the suspect into custody, Rincon said he kept constant watch over the suspect's discarded weapon. He then advised, via Sheriff's radio, regarding their status.

For further information, refer to Deputy Rincon's verbatim transcript.

CIVILIAN WITNESSES STATEMENTS

[redacted] was interviewed on October 30, 2007, at approximately 0010 hours by Century Station Detectives [redacted] and [redacted] Also present was Internal Affairs Bureau Sergeant Marshall Baird. The interview was conducted at the Century Regional Detention Facility and was recorded in digital format. The following is a summary fo that interview:

[redacted] said he arrived at the location approximately ten minutes prior to the deputies arrival. He said he was driving by the location and stopped to visit with Suspect Scott and his friend [redacted] said that just before the deputies arrived, Scott told him he was going to his house and would be right back, but that Scott didn't return.

[redacted] said he was unaware that Scott had a gun and that Scott "never" told him he had a gun in his possession.

[redacted] said the deputies stopped and started shooting. He heard only one shot. He claimed that Scott just walked away and didn't see him run.

SUSPECT STATEMENTS

Terry Lance Scott

Suspect Scott was interviewed on October 29, 2007, at approximately 2335 hours by Century Detectives [redacted] and [redacted] Also present was Internal Affairs Bureau Sergeant Marshall Baird. The interview was conducted at the Century Regional Detention Facility. The interview was recorded in digital format. The following is a summary of that interview:

Suspect Scott said he and his two friends, [redacted] and [redacted] (unknown last name) were talking and drinking beer on the east sidewalk of Main Street, when the deputies drove up. Scott said he "panicked" when he saw the deputies and took off running.

> ***IAB NOTE: Suspect Scott stated the location was the home of [redacted] and that he was visiting from [redacted] and was staying in the rear house with his [redacted]***

Scott also admitted he did in fact have the gun in his possession while running, but denied that he pulled it out.

Scott said earlier in the evening, he had gone and retrieved the gun from rear yard. He said he purchased the gun from a "Black guy" at "Smitty's Liquor" at 135th Street and Avalon Boulevard after he and his friends had been shot at by some "Mexicans" in a car the previous Saturday. Scott said that prior to the deputies arriving, he believed he had seen the same car driving by the location and feared they would be shot at again. He said he went and got the gun for protection. Scott also acknowledged that his companions were aware that he had the gun in his possession.

Scott said he never heard the deputies yell at him to stop until he reached the back fence. He said he heard the gunshot when he was inside of the gate/fence. Scott said he believed he closed the gate and then heard the gunshot.

Scott said the gun "fell out of his pants" and hit the walkway as he was running. When asked by investigators where the gun fell out of his pants, Scott replied, "Wherever they found it at. I know it just dropped out of my pants."

> ***IAB NOTE: The weapon was found in the planter next to the walkway (south) and according to the involved deputies, had not been moved.***

Scott also admitted in the interview he smoked several Marijuana cigarettes and took one drink of beer prior to his contact with the deputies.

For further information, refer to Suspect Scott's verbatim transcript.

MISCELLANEOUS SECTION

Incident Time Line

This time line summarizes some of the issues related to this incident. It was included to facilitate the reader's ability to follow the chain of events as stated by the involved deputy.

Incident Details Time line:

2030 hours: Unit 213E, Deputy Edwards broadcasts via the working frequency: "10-33, Give me the patch, we are in foot pursuit of a 417 suspect at [redacted] South Main Street (SCC repeats the wrong address)."

Within nineteen to twenty seconds later, Deputy Edwards broadcasts, "998. SCC requests confirmation of the address.

Deputy Rincon broadcasts the address as [redacted] South Main Street, and advises the suspect is in custody and the deputies are accounted for.

For further information, refer to CD audio tape, Exhibit I.